

**SUMMARIZED MINUTES
SCOTTSDALE CITY COUNCIL
WEDNESDAY, JULY 6, 2005**



**CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251**

CALL TO ORDER

Mayor Manross called to order a Regular Meeting of the Scottsdale City Council on Wednesday, July 6, 2005 in the Kiva, City Hall, at 5:07 P.M.

ROLL CALL

Present: Mayor Mary Manross
Vice Mayor Betty Drake
Councilmembers Wayne Ecton, W.J. "Jim" Lane,
Robert Littlefield, Ron McCullagh, and Kevin Osterman

Also Present: City Manager Jan Dolan
Acting City Attorney Deborah Robberson
City Clerk Carolyn Jagger

PLEDGE OF ALLEGIANCE - Vice Mayor Drake

INVOCATION - Dr. Larry Hostetler, Senior Minister of Chaparral Christian Church

PUBLIC COMMENT

Mike Aloisi, 6846 N. 72nd Place, 85254, proposed a Public Safety Commission, comprised of three citizens, a Police Department official, and City Councilmembers, to aid in law enforcement issues.

CONSENT AGENDA ITEMS 1 – 21C

ITEMS 6, 7, AND 14 WERE REMOVED FROM THE CONSENT AGENDA FOR SEPARATE ACTION.

1. John Q's (Restaurant) Liquor License

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a new location.

Location: 7000 E. Shea Boulevard, Ste. 190

Reference: 32-LL-2005

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Connie Padian, Customer Services Chief Officer, 480-312-2665, cpadian@scottsdaleaz.gov

2. Taco Del Mar (Restaurant) Liquor License

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for an existing location that is currently operating without liquor sales.

Location: 14870 N. Northsight Boulevard, Ste. 106

Reference: 34-LL-2005

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Connie Padian, Customer Services Chief Officer, 480-312-2665, cpadian@scottsdaleaz.gov

3. Café Citron (Restaurant) Liquor License

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a new location on Market Street at DC Ranch.

Location: 20707 N. Pima Road, Building L, Ste. 145

Reference: 35-LL-2005

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Connie Padian, Customer Services Chief Officer, 480-312-2665, cpadian@scottsdaleaz.gov

4. DC Ranch Health Club and Spa (Beer and Wine Bar) Liquor License

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 7 (beer and wine bar) liquor license for a new health club and spa located in DC Ranch Village.

Location: 18501 N. Thompson Peak Parkway

Reference: 36-LL-2005

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Connie Padian, Customer Services Chief Officer, 480-312-2665, cpadian@scottsdaleaz.gov

5. Troon North Parcel Q Site Plan

Requests:

1. Approve site plan with amended development standards for a residential use on 13 +/- acre parcel located at the northeast corner of Pinnacle Vista and Alma School Parkway with Service Residential District (Hillside District) (S-R HD) zoning.
2. Adopt Ordinance No. 3630 affirming the above site plan approval with amended development standards.

Location: Northeast corner of Alma School Parkway and Pinnacle Vista Road

Reference: 6-ZN-2005

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

Mary Ellis, 27771 N 108th Way, 85262, suggested the City purchase two parcels adjacent to the property to be donated as a park. She asked the Council to postpone any decisions pending proper review.

Mayor Manross noted the item was agendaized for site plan approval and that the development conformed to the Hillside Ordinance. She urged staff to be vigilant in this case to ensure it meets ordinance specifications.

6. **1st Avenue and Goldwater Rezoning**
REMOVED FOR SEPARATE DISCUSSION. SEE PAGE 7.
7. **Basis Charter School Conditional Use Permit**
REMOVED FOR SEPARATE DISCUSSION. SEE PAGE 8.
8. **Shurgard Storage Conditional Use Permit**
Request: Approve Conditional Use Permit for internalized community storage on a 2.89 +/- acre parcel with General Commercial District (C-4) zoning.
Location: 8615 E. McDowell Road
Reference: 32-UP-2004
Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov
9. **Villas @ Pinnacle Peak Conditional Use Permit**
Request: Approve Conditional Use Permit for a health studio in a suite of an existing commercial center with Central Business District, Environmentally Sensitive Lands (C-2 ESL) zoning.
Location: 10440 E. Jomax Road, Ste. 104
Reference: 6-UP-2005
Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov
10. **Environmentally Sensitive Land Ordinance (ESLO) Hardship Exemption**
Request: Approve an ESLO Hardship Exemption for building height on new addition with Single Family Residential, Environmentally Sensitive Lands District (R1-190 ESL) zoning.
Location: 38080 N. Charles B. MacDonald Road
Reference: 4-HE-2005
Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov
11. **Disposition and Recovery of Stolen Property Amendment**
Request: Adopt Ordinance No. 3628 amending Chapter 16, Article XIX of the Scottsdale Revised Code relating to the disposition of allegedly stolen property. This action will eliminate certain provisions within this Chapter that have been addressed in Chapter 23, Article III of the Scottsdale Revised Code.
Related Policies, References:
 - Ordinance No. 3002, adopted October 1997
 - Chapter 16, Article XIX of the Scottsdale Revised Code (SRC)
 - Chapter 23, Article III of the Scottsdale Revised Code (SRC)**Staff Contacts:** Alan Rodbell, Chief of Police, 480-312-5310, arodbell@scottsdaleaz.gov; Helen Gandara-Zavala, Administrative Services Director, 480-312-5325, hgandara@scottsdaleaz.gov

12. Contract for Psychological Evaluation Services

Request: Award Contract No. 2005-071-COS to Dr. Stephen Carson for the provision of psychological evaluation services used for pre-employment, SWAT operative assignment, and fitness for duty determinations.

Related Policies, References:

- Arizona Peace Officers Standard and Training Board Rules (R13-4-107) requires the examination of police officer candidates for medical, physical or mental circumstances that limit their ability to perform peace officer duties
- Scottsdale Police Department General Order 41.13.B8 requires psychological testing as part of the hiring decision making process
- Scottsdale Revised Code 2-188, Formal Procurement Process

Staff Contacts: Alan Rodbell, Chief of Police, 480-312-5310, arodbell@scottsdaleaz.gov; Commander Barry Vassall, Acting Deputy Chief, 480-312-5125, bvassall@scottsdaleaz.gov

13. ADOT Transportation Enhancement Funds Grants

Requests:

1. Adopt Resolution No. 6707 authorizing the Transportation Department to apply for two Arizona Department of Transportation (ADOT) Transportation Enhancement Funds grants for a total of approximately \$1,000,000.
2. Authorize the acceptance of the award in the event the applications are successful.

Staff Contacts: Mary O'Connor, Transportation General Manager, 480-312-2334, moconnor@scottsdaleaz.gov; Dave Meinhart, Transportation Planning and Transit Director, 480-312-7010, dmeinhart@scottsdaleaz.gov

14. Citizen Towing Contract

REMOVED FOR SEPARATE DISCUSSION. SEE PAGE 8.

15. Construction Bid Award for Hayden Road and McDonald Drive Intersection Improvements

Requests:

1. Authorize Construction Bid Award No. 05PB033 for Hayden Road and McDonald Drive Intersection Improvements to Achen-Gardener Engineering, LLC, the lowest responsive bidder, for the total of their unit price bid of \$7,146,275.30.
2. Authorize a payment to Salt River Project Agricultural District in the approximate amount of \$171,000 to relocate electric lines, distribution cabinets, and install new streetlights along the east side of Hayden Road from Starlight Way to Valley Vista.

Related Policies, References: Council approved Engineering Services Contract Nos. 2001-101-COS and 2001-102-COS with Black & Veatch on August 20, 2001 for the design of Chaparral Water Treatment Plant and the design of Chaparral Park Extended.

Staff Contacts: Al Dreska, Municipal Services General Manager, 480-312-7055, adreska@scottsdaleaz.gov

16. Revocable License Agreement for Feed and Bedding Services at WestWorld

Request: Adopt Resolution No. 6700 authorizing Agreement No. 2005-123-COS with Performance Feed & Bedding, LLC, an Arizona limited liability company, that will provide for the sale and delivery of feed, hay, and bedding to horse stalls at WestWorld for equestrian events.

Related Policies, References: Section 2-221(a) of the Scottsdale Revised Code allows licensing and leasing City real-property interests by means of a competitive bid process.

Staff Contacts: Al Dreska, Municipal Services General Manager, 480-312-7055, adreska@scottsdaleaz.gov; Brad Gessner, WestWorld General Manager, 480-312-6825, bgessner@scottsdaleaz.gov

17. Engineering Services Contract for Design of Bell Road Between 94th and 98th Streets

Request: Authorize Engineering Services Contract No. 2005-119-COS with Structural Grace, Inc., in the amount of \$417,790 for the design of Bell Road from 94th to 98th Street. The project includes a second bridge over the Reata Pass Wash.

Related Policies, References: FY 2005/06 Capital Improvement Plan

Staff Contacts: Al Dreska, Municipal Services General Manager, 480-312-7055, adreska@scottsdaleaz.gov

18. Library Services and Technology Act Grants

Request: Adopt resolution No. 6712 authorizing the Library Division of the Community Services Department to accept two Arizona State Library 2005 Library Services and Technology Act grants for a total of \$50,400. The two grants are the "Arizona History and Images" grant and the "Virtual Community Commons" grant.

Related Policies, References: The FY 2005/06 Grants budget includes expenditure budget authorization for these grants

Staff Contacts: Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov; Rita Hamilton, Library Director, 480-312-7039, rhamilton@scottsdaleaz.gov

19. Development Agreement with the Arizona State Land Department and Byxbee Development Partners, LLC

Request: Adopt Resolution No. 6688 authorizing Development Agreement No. 2005-107-COS between the City, the Arizona State Land Department and Byxbee Development Partners, L.L.C., to resolve development issues for property located at the northwest corner of 104th Street and Bell Road adjacent to the property being developed in that area by Toll Brothers and across Thompson Peak Parkway from the Preserve.

Related Policies, References: Toll Brothers Development Agreement No. 2004-026-COS and Amendment No. 1 to Development Agreement No. 2004-026-COS

Staff Contacts: Deborah Robberson, Acting City Attorney, 480-312-2405, drobberson@scottsdaleaz.gov; Bruce Washburn, Assistant City Attorney, 480-312-2659, bwashburn@scottsdaleaz.gov

20. WestWorld Facility Use Agreement

Request: Approve the WestWorld Facility Use License with Scottsdale Classic, LLC for use of WestWorld facilities to host the Scottsdale Classic Quarter Horse Show in October 2005, 2006 and 2007 at a 10 percent (10%) discount rental rate.

Related Policies, References: Scottsdale Revised Code 2-221(c) states: The City Manager or designee shall have the authority to enter into temporary licenses or similar agreements for the use of City owned property, including but not limited to, land, buildings, office space, rooms and other interior and exterior space, but no City rights-of-way. Such agreements shall be in the form approved by the City Attorney. Such agreements shall have a term of one (1) year or less and a unilateral termination clause in favor of the City that does not require the City to give more than 30 days notice of

cancellation. Any license or other such agreement not meeting these criteria requires approval by the City Council.

Staff Contacts: Roger Klingler, Assistant City Manager, 480-312-5830, rklingler@scottsdaleaz.gov; Brad Gessner, WestWorld General Manager, 480-312-6825, bgessner@scottsdaleaz.gov

21. Downtown Marketing Contingency Transfer

Request: Approve a \$188,200 budget transfer from the General Fund Operating Budget Contingency to the Downtown Group Downtown Marketing account (100-01800-52190).

Related Policies, References:

Staff Contacts: John C. Little, Jr., Executive Director Downtown Group, 480-312-2539, jlittle@scottsdaleaz.gov; Craig Clifford, Chief Financial Officer, 480-312-2364, cclifford@scottsdaleaz.gov

21A. Compensation Adjustments for Charter Officers

Request: Authorize compensation adjustments for the City Auditor and the City Clerk, per the employment agreements, and for the City Manager, per the addendum to the employment agreement, effective the start of Fiscal Year 2005/06.

Staff Contact: Neal Shearer, Assistant City Manager/Human Resources General Manager, 480-312-2341, nshearer@scottsdaleaz.gov

21B. Scottsdale Air Center Real Estate, LLC Lease Amendment and Assignment of Lease to Ross Scottsdale, LLC

Requests:

1. Authorize Lease Amendment No. 2001-133-COS-A2 for Scottsdale Air Center Real Estate, LLC (SDL Air Center) to: extend the completion deadline as outlined in Lease Amendment No. 2001-133(A)-COS from December 31, 2005 to June 30, 2006; amend associated requirements, including modification of the final plan approval deadline from twelve (12) months to six (6) months prior to completion and construction commencement deadline from eight (8) months to five (months) prior to completion; correct numbering within lease assignment section 17 of the agreement; and related amendments.
2. Authorize Assignment of Lease No. 2001-133-COS, as amended, from Scottsdale Air Center to Ross Scottsdale, LLC.

Related Policies, References:

- Lease Agreement No. 2001-133-COS
- Lease Amendment No. 2001-133A-COS
- Lease Amendment No. 2001-133-COS-A2

Staff Contacts: Mary O'Connor, General Manager, Transportation, 480-312-2334, moconnor@scottsdaleaz.gov; Ed Gawf, Deputy City Manager, 480-312-4510, egawf@scottsdaleaz.gov

21C. Solar Power Agreement with Salt River Project

Request(s):

1. Approve Solar Power Agreement 2005-130-COS with Salt River Project for the cost sharing and installation of a solar power generation system on the new Senior Center at Granite Reef.

2. Authorize the Mayor and the City Manager to execute any and all further documents and to take any and all actions that may be necessary or desirable to consummate the terms of the agreements.
3. Authorize a CIP contingency transfer in the amount of \$160,000 to the Scottsdale Senior Center at Granite Reef CIP Account 400-P0207 to fund the City's share of this agreement.

Related Policies, References: Resolution No. 6644 adopted by City Council on March 22, 2005. This resolution requires that new facilities achieve a LEED Gold certification.

Staff Contacts: Debra Baird, Community Services General Manager, 480-312-2480, dbaird@scottsdaleaz.gov; Don Penfield, Facilities Management Director, 480-312-5821, dpenfield@scottsdaleaz.gov

Daniel Basinger, Environmental Quality Advisory Board, 29503 N. 107th Place, 85262, thanked the Council for their leadership and direction regarding conservation issues, and staff for contributions in arranging this partnership. Solar power generation assists utility companies during peak periods and defers the need to build additional power plants.

MOTION AND VOTE – CONSENT AGENDA

COUNCILMAN OSTERMAN MOVED FOR APPROVAL OF CONSENT AGENDA ITEMS 1 through 21C, WITH THE EXCEPTION OF ITEMS 6, 7, AND 14, AND FOR OPTION 'A' ON ITEMS 12, 15, 18, 19, AND 20. VICE MAYOR DRAKE SECONDED THE MOTION, WHICH CARRIED 7-0.

ITEMS REMOVED FROM CONSENT AGENDA FOR SEPARATE ACTION:

6. 1st Avenue and Goldwater Rezoning

Requests:

1. Rezone from Central Business District, Downtown Overlay (C-2 DO) to Downtown/Office Commercial Type 2, Downtown Overlay (D/OC-2 DO) on a 18,895 +/- square foot parcel.
2. Adopt Ordinance No. 3631 affirming the above rezoning.

Location: 7002 E. 1st Avenue

Reference: 7-ZN-2005

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

Responding to Councilman McCullagh, Chief Planning Officer, Randy Grant, stated that Item 6 was a rezoning request for conformance to the Downtown General Plan. The requested zoning will allow build-up on the site, enabling full use of the property, since setback and side yard requirements are different for downtown. Council agreed the site is under-utilized and rezoning the site will provide a good opportunity for downtown.

MOTION AND VOTE – ITEM 6

VICE MAYOR DRAKE MOVED FOR APPROVAL OF ITEM 6, CASE 7-ZN-2005. COUNCILMAN ECTON SECONDED THE MOTION, WHICH CARRIED 7-0.

7. Basis Charter School Conditional Use Permit

Request: Amend the existing conditional use permit for a Charter School on a 1 +/- acre parcel with Industrial Park, Planned Community District (I-1 PCD) zoning.

Location: 9128 E. San Salvador

Reference: 12-UP-2003#2

Staff Contacts: Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov

Responding to Councilman McCullagh, City Manager Jan Dolan stated the item was on the Consent Agenda because the Planning Commission made a unanimous recommendation to Council to approve the request, although staff had denied the request. Ms. Dolan explained that the Planning Commission made their recommendation based on stipulations with the school regarding staggered start times.

Staff verified that stipulations staggering start and dismissal times, as well as 'no-parking' signs along the street, would alleviate traffic concerns. Staff will follow up to ensure the stipulations are implemented.

Councilmembers acknowledged that the applicant had met the City's requirements and that the school is appropriately located.

Mayor Manross opened public testimony.

Thomas Davison, Basis School, 11240 N. 108th Place, 85259, said staggering dismissal times would solve traffic congestion problems. School officials will work with parents to discourage early arrivals to pick up their children.

Michael Block, Basis School, 9128 E. San Salvador, 85258, assured Council that school officials will work with City staff to alleviate traffic problems.

Mayor Manross closed public testimony. Six additional citizen comment cards were received from citizens in favor of the case but not wishing to speak.

MOTION AND VOTE – ITEM 7

COUNCILMAN LITTLEFIELD MOVED FOR APPROVAL OF ITEM 7, CASE 12-UP-2003#2, WITH THE CRITERIA AND FINDINGS, AND THE PLANNING COMMISSION RECOMMENDATIONS. VICE MAYOR DRAKE SECONDED THE MOTION, WHICH CARRIED 7-0.

14. Citizen Towing Contract

Request: Authorize the awarding of a contract for the citizen towing service to Diversified Towing, Inc., dba Cactus Towing (Diversified/Cactus Towing).

Related Policies, References: Invitation for Bid (IFB) No. 05PB114

Staff Contacts: Alan Rodbell, Chief of Police, 480-312-5310, arodbell@scottsdaleaz.gov; Craig Clifford, Chief Financial Officer, 480-312-2364, cclifford@scottsdaleaz.gov; Monroe Warren, Purchasing Director, 480-312-5705, mwarren@scottsdaleaz.gov; William Wilton, Police Department Commander, 312-7318, wwilton@scottsdaleaz.gov

Staff reviewed bid results and provisions of the contract. Referring to concerns about a pending investigation in Mesa, staff related Cactus Towing has been used for towing City vehicles for the past several years with no significant complaints or dissatisfaction. Staff noted that Mesa and Chandler, as well as the Department of Public Safety, have current contracts with Cactus Towing.

The City has contracted for the last five years with Fast Towing, a division of United Road Service. Fast Towing has been working on a month-to-month basis since the contract expired in March. Officials from Fast Towing notified the City that they did not wish to extend the present agreement, and opted instead to bid on the RFP.

Council and staff discussion:

- Staff clarified that the \$4.50 per day storage fee is for a period of up to 15 days. At the end of 15 days, the towing company must take action, such as applying for an abandoned vehicle title. There is no provision in the contract for daily storage fees to increase.
- The contract provides for a 7-day notice of cancellation for cause, and a 30-day notice of cancellation for convenience. Audit provisions allow staff to follow up on complaints and attempt to rectify issues prior to taking any cancellation action.
- Most valley cities have abandoned the practice of rotating towing companies because of issues related to non-uniform pricing and storage locations.
- Staff clarified that the contract only addresses clearing City streets of disabled vehicles and delivery to a specified location. It is the responsibility of the insurance company and/or owner to retrieve the vehicle from the towing yard. There is no requirement to use the services of the contractor to remove vehicles from the towing yard.
- The contract has a one-year term that may be extended for up to four additional one-year periods. When the contract is up for extension, the City contract administrator will review it and make any necessary changes. Contract extensions will be sent by letter, with the contract administrator signing as the City's agent.

Mayor Manross opened public testimony.

Michael Merrill, 8713 E. Vernon Avenue, 85257, reminded Council the contract is to protect citizens, tourists, and businesses. He questioned how the company can profit from the low bid, and suggested Council review any complaints prior to contract renewals.

Matt Salmon, 2375 E. Camelback Road, #700, 85016, representing Cactus Towing, said goals with all cities are the same: to clear streets as soon as possible and to make sure the owner gets a fair deal. In response to the question of profitability, Mr. Salmon reported that the company has successfully operated under the same parameters for five years, with minimal complaints, in Mesa and Chandler.

Gerry Corcoran, United Road Services Inc., 2801 W. Osborne, 85017, said that at a penny a tow, with the rising price of gasoline, his company would go bankrupt. He requested the Council consider other factors and options, and said he would like to continue working with the City.

W. Steven Martin, 2306 W. Harrison, Chandler, 85224, supported Cactus Towing Company, citing their good service to communities. He said the Council would be proud of their decision to award the bid to Cactus Towing.

Kevin Bergner, 8931 N. 80th Place, 85258, spoke in support of United Road Service and asked the Council to consider other alternatives.

Tom Dorn, United Road Services, 1850 N. Central Avenue, #1901, 85004, urged the Council to consider all options, including other municipal contracts, and to allow time for further investigation. Mr. Dorn believes one cent per tow is not realistic and, under the cloud of uncertainty, this issue should not be decided at this time.

Mayor Manross closed public testimony. Four additional comment cards were received from citizens not wishing to speak: One in favor of the item, and three opposed.

Council discussion:

- The General Manager of Cactus Towing stated towing companies primarily make their money from re-tows, not from road service. In an efficient company, a penny-a-tow is realistic as long as storage, re-tow, abandoned vehicle, and salvage percentages are considered. There is no physical storage yard located within Scottsdale city limits. A \$10 gate release fee would be charged for retrieving vehicles after hours. The first 24 hours of storage is free; after that, the \$4.50 daily storage fee goes into effect. For a private re-tow, the rate would be \$45 for a vehicle hook up, plus \$3 per mile.
- The contractor verified the City of Mesa has recommended awarding that city's towing contract for all four zones in Mesa to Cactus Towing.
- Councilmembers stated it was their job to protect the interests of the citizens, tourists, and drivers, not to determine if allegations of misconduct are true. As a result, Councilmembers agreed it was appropriate and right to award the bid to the lowest responder.
- Council is comfortable with the contract provisions for regular audits, escape clauses, and consistency. Staff and Council are responsible for monitoring citizen complaints and using built-in provisions for termination if the contractor is not complying with the contract terms.

MOTION AND VOTE – ITEM 14

VICE MAYOR DRAKE MOVED TO AUTHORIZE AWARDING THE CONTRACT TO DIVERSIFIED TOWING, SUBJECT TO REVIEW IN ONE YEAR, AND THAT IT TAKE AN AFFIRMATIVE ACTION OF THE COUNCIL TO EXTEND THE CONTRACT. COUNCILMAN LITTLEFIELD SECONDED THE MOTION, WHICH CARRIED 7-0.

REGULAR AGENDA ITEM 22

22. Proposed November 2005 Scottsdale Downtown Town Hall Meeting

Request: Consideration of proposal sponsored by Vice Mayor Drake to implement a Scottsdale Downtown Town Hall Meeting for November 2005.

Staff Contact: John C. Little, Jr., Executive Director Downtown Group, 480-312-2539, jlittle@scottsdaleaz.gov

Vice Mayor Drake identified concerns for downtown and the goals for a Town Hall process. She indicated this process should begin after the new General Manager of Planning and Development Services comes on board at the end of August.

Council discussion:

- Upcoming plans for downtown include the Chamber of Commerce plan to analyze downtown business mixes; the Responsible Hospitality Institute's (RHI) interest in visiting downtown to encourage residents, businesses, restaurants and bars to co-exist; and transportation studies.
- Increased public safety and additional public parking garages are among recent downtown improvements. Past planning efforts need to be reviewed because of their high levels of public consensus and valuable recommendations that will serve as a foundation for future planning. Downtown consists of more than the five specialty retail districts—it needs to include the area up to Chaparral, the health care campus, and the ASU Scottsdale Center.
- Participation is an inclusive process. Stakeholders, such as customers, visitors, property owners, developers, senior citizens, and kids, should be components in the participant structure of the Town Hall process.
- The process should be as simple as possible, with defined timelines, like the Fire EMS and Districting commissions. Those commissions met, produced reports, and disbanded after completing their assigned tasks.

Mayor Manross opened public testimony.

Mike Merrill, 8713 E. Vernon Av, 85251, expressed support for the process. He stated there were complicated problems with past plans and that a Town Hall is a good start.

Mayor Manross closed public testimony.

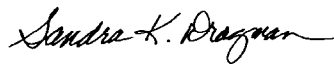
It was recommended that the new Planning and Development Services General Manager be involved in the planning process. Staff was directed to return to Council with a proposal updating the Downtown Plan, including a possible Town Hall to help initiate public participation, approximately 30 to 60 days after the new General Manager starts.

CITY MANAGER'S REPORT - None

MAYOR AND COUNCIL ITEMS - None

ADJOURNMENT - With no further business to discuss, the meeting adjourned at 7:05 P.M.

SUBMITTED BY:



Sandy Dragman
Recording Secretary

REVIEWED BY:



Carolyn Jagger
City Clerk

Officially approved by the City Council on

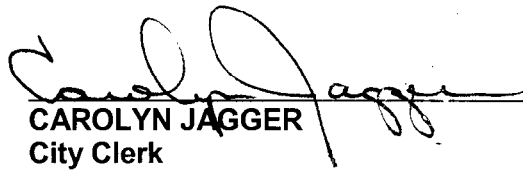
August 29, 2005

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the City Council of Scottsdale, Arizona held on the 6th day of July 2005.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 29th day of August 2005.


CAROLYN JAGGER
City Clerk